



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Hand Delivered

Abbyland Foods, Inc.,
Abbyland Trucking, Inc.,
Curtiss Travel Center LLC
Abbyland Truck Stop, LLC,
d/b/a Abbyland Service Plaza
323 Plaza Drive
219 Plaza Drive
330 Plaza Drive
Curtiss, Wisconsin 54422

JUN 03 2015

Re: Requirements to maintain and make available certain information, records, parts, and components

The United States Environmental Protection Agency (EPA) hereby requires the above-listed entities (Abbyland or you) to maintain and make available information as part of an EPA investigation to determine compliance with section 203 of the Clean Air Act (Act), 42 U.S.C. § 7522.

We issue this Request for Information under sections 114(a) and 208(a) of the Act, 42 U.S.C. §§ 7414(a) and 7542(a). Under these statutes, among other things, the EPA may require any person who is subject to the vehicle and engine requirements of the Act, 42 U.S.C. §§ 7521–7554, to establish, maintain, and make available information the EPA may reasonably require to determine whether the person has acted in compliance with these requirements and the regulations promulgated thereunder.

Under this authority and by this letter, once delivered, Abbyland is required to maintain and make available at the above-listed addresses, for inspection by EPA personnel on or before June 6, 2015, all information and records in your possession related in any way to the following:

- (a) The manufacturing, sale, offering for sale, purchase, repair, or installation of any part or component of or for any motor vehicle or motor vehicle engine that changes, affects, or bypasses any element of design related to emissions of air pollution, including but not limited to any: diesel particulate filter system; exhaust gas recirculation system; catalytic converter system; on-board diagnostic system; selective catalytic reduction system; and sensors, signals, or records related to these systems.

- (b) Manufacturing, sale, offering for sale, purchase, repair, or installation of any part or component of or for any motor vehicle or motor vehicle engine that changes, affects, or bypasses that vehicle's or engine's electronic control module (ECM). This includes but is not limited to any part or component that relates to fueling strategy on-board diagnostic systems.
- (c) Performance Diesel, Inc., of St. George, Utah, and its products including "Big Boss ECMs." This includes all information and records related to the purchase, receipt, handling, installation, resale, and maintenance of parts or components made by or received from Performance Diesel, Inc.

Besides the information and records described above, Abbyland is required to maintain and make available at the above-listed addresses, for inspection by EPA personnel on or before June 6, 2015, any part or component of or for any motor vehicle or motor vehicle engine that: changes, affects, or bypasses any element of design related to emissions of air pollution; changes, affects, or bypasses that vehicle's or engine's ECM; or was made by or received from Performance Diesel, Inc. This requirement does not include any part or component that was not in your custody or control at the time of delivery of this letter. This requirement also does not include any part or component (whether or not installed on a vehicle or engine) that is not at your business location due to its use in the normal course of your business.

In sum, Abbyland is required to leave in place all information, records, parts, and components that EPA may reasonably inspect on or before June 6, 2015, to determine compliance with the vehicle and engine requirements of the Clean Air Act. That said, this letter does not require that you change your normal course of business, such as changing your truck's scheduled deliveries. This letter in no way affects any preexisting requirements under the Act and related regulations to keep and maintain information.

Failure to maintain and make available this information may result in the initiation of an administrative or civil judicial action under section 205 of the Act, 42 U.S.C. § 7524. In any such action, you may be subject to a civil penalty of up to \$37,500 per day for each day that you fail to maintain and make available this information.

Any questions concerning this letter and its requirements should be directed to the EPA attorney handling this matter, David Alexander, at (202) 564-2109 or alexander.david@epa.gov.

Sincerely,



Phillip A. Brooks
Director
Air Enforcement Division
Office of Civil Enforcement